

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAMUEL B JOHNSON III,

Case No. C07-05756 SI (JCS)

Plaintiff(s),

v.

**ORDER DENYING PLAINTIFF'S
MOTION TO TAKE MORE THAN 10
DEPOSITIONS [Docket No. 208]**

CHEVRON CORPORATION, ET AL.,

Defendant(s).

Plaintiff filed a letter, dated December 9, 2008. [Docket #208]. Defendants filed an opposing letter on December 15, 2008. The Court treats plaintiff's letter as a motion to permit plaintiff to take 13 depositions in this action.

Plaintiff has not established good cause for the taking of depositions beyond the ten permitted by the Federal Rules. He has not yet taken ten depositions. He has not identified who he would like to depose, or the reason why their testimony is important to the case. Plaintiff points out generally that this is a case with twelve defendants, nine of which are employees, but does not even say that he intends to use the additional depositions to depose defendants, and if so, which defendants. Finally, plaintiff did not bring this matter to the court's attention in until 22 days before the close of discovery – a period of time that not only includes the holidays, but during which many depositions are already scheduled. As a result of this lack of diligence, plaintiff has not even proposed any schedule on which the extra depositions could occur before the discovery cut off of

1 December 31, 2008. Accordingly, the motion is DENIED.

2 IT IS SO ORDERED.

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4 Dated: December 17, 2008

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JOSEPH C. SPERO
United States Magistrate Judge

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